IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 19TH JULY 2007 / 28TH ASHADHA 1929

RP.No. 656 of 2007(C)

(AGAINST THE JUDGMENT DATED 31.05.07 IN WP(C) NO.32571 OF 2005)

PETITIONER :

P.A.ASHRAFF,AGED 51 YEARS,
S/O.ABDU,PUZHANKARALLATHU HOUSE,
P.O MATHILAKOM.

BY ADV. SRI.K.RONALD JOSE
SRI.V.P.MOHAMMED NIYAS

RESPONDENT:

MANOHARAN,S/O.KUMARAN,MADATHINKAL HOUSE,
THEKKUMKARA VILLAGE,MUKUNDAPURAM TALUK.

BY ADV. SRI.K.G.BALASUBRAMANIAN

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 19/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

R.P. No.656 OF 2007
IN
W.P.(C) No. 32571 OF 2005

Dated this the 19th day of July, 2007

O R D E R

The review petition will stand allowed to the extent of observing that it will be open to the petitioner to seek restoration of EA No.139 of 2004 which was dismissed virtually for default under Ext.P4. The time during which this Writ Petition was pending before this Court i.e. the period from 17.11.05 till 01.08.07 will be excluded by the execution court for the purpose of Section 14 of the Limitation Act from the reckoning.

PIUS C. KURIAKOSE, JUDGE

btt